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STATE OF SOUTH CAROLINA
In the Circuit Court

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APR 04 2017

SC Court of Appeals

Appeal from Richland County
Probate Court

The Honorable Amy W. McCulloch, Probate Judge

Appellate Case No. 2016-001960

In the Matter of the Estate of William D. Paradeses

Georganna Paradeses, as Personal Representative of the Estate of William D. Paradeses,..... Petitioner,

v.

Georganna Paradeses, Eleanor Glisson (Faye) (a.k.a. Faye Greeson, Pam Paradeses, Stephanie Starr, Robin Pace, Mary Paradeses and Jim Paradeses,..... Respondents.

OF WHOM

Georganna Paradeses, individually, Pam Paradeses, Stephanie Star, Robin Pace, Mary Paradeses and Jim Paradeses are..... Appellants,

AND

Eleanor Glisson (Faye) (a.k.a. Faye Greeson) is..... Respondent.

RECORD ON APPEAL

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(803) 779-1770
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jmurray@wsmlaw.com

Counsel for Appellants

Counsel for Respondent Eleanor Glisson
(Faye) (a.k.a. Faye Greeson)

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STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE PROBATE COURT
Estate Number: 2016-ES-40-00215

IN THE MATTER OF THE ESTATE OF)
WILLIAM DEMETRIUS PARADESES)

Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses,)

Petitioner,)

vs.)

Georganna Paradeses, Eleanor Glisson)
(Faye) (a.k.a. Faye Greeson), et al.)

Respondents,)

2016 AUG 23 PM 12:10
PROBATE JUDGE
RICHLAND COUNTY, S.C.

FILED

ORDER

Petitioner Georganna Paradeses, as Personal Representative of the Estate of William D. Paradeses, by and through her counsel, Sarah T. Cassidy, filed a Summons and Petition for a Declaratory Judgment on February 18, 2016, seeking judicial determination of the validity of certain additions and deletions in the Last Will and Testament of William D. Paradeses (“the Will”). In particular, in Item IV of the Will, handwritten language had been added stating “A.D. and J.D. Paradeses will have control until it is sold and no one else. W.D. Parades (sic).” Paragraph 2 of Item IV has handwritten language stating “Omit #2 W.D. Paradeses”, and the paragraph is struck through.

All interested parties to this matter were properly served with the Summons and Petition. Eleanor Faye Glisson-Hixon a/k/a Faye Greeson, represented by James S. (Jeb) Murray, filed an Answer to the Petition on March 25, 2016, and denied the deletion was made by William D. Paradeses and demanded strict proof thereof. She also answered that the deletion failed for want of proper attestation. Thirteen other Defendants answered and admitted that William D. Paradeses made the changes with the intent to change the Will.¹ Adam T. Silvernail entered an appearance for Georganna Paradeses, individually, Pam Paradeses Greeson, Stephanie Starr,

¹ Georganna Paradeses, Logan Greeson, Stephanie Starr, Pam P. Greeson, Dakota A. Starr, Hunter I. Starr, Alexander B. Boatman, Nicholas W. Boatman, Marina N. Boatman, Mary P. B. Wehbie, Arthur D. Paradeses, Robin Pace and Sabine M. Ray

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Robin Pace, Mary Paradeses and Jim Paradeses after all answers had been filed.²

This matter came before the Court for a hearing on July 27, 2016. Sarah. T. Cassidy appeared as counsel for the Estate, James S. Murray appeared as counsel for Eleanor Faye Glisson-Hixon, and Adam T. Silvernail appeared for Georganna Paradeses, individually, Pam Paradeses, Stephanie Starr, Robin Pace, Mary Paradeses and Jim Paradeses

The Estate took no position as to the validity of the changes made to the Will.

Counsel for Ms. Glisson-Hixon took the position that the following facts were undisputed: the additions and deletions were made *after* the Will was properly executed in the presence of two witnesses; there are no known witnesses to the additions and deletions; the Will originally stated: "2. Fifty Thousand Dollars (\$50,000) to Faye Greeson. If Faye Greeson predeceases me, such devise shall lapse to the rest and residue of my estate."; and "Faye Greeson" refers to Eleanor Faye Glisson-Hixon. No one did, in fact, dispute these facts. Counsel argued there was insufficient proof that Testator made the changes to the Will, and, even if there were sufficient proof that Testator made the changes to the Will, the changes included additions and were ineffective because it was an attempt to create a codicil without the prerequisite formalities required to create a codicil, to wit: two witnesses. He cited several South Carolina cases in support of his position.³

Counsel for Georganna Paradeses et al. did not dispute the facts as stated above but took the position that SC Code Ann. § 62-2-502 provides for revocation of a will "or any part thereof" by, among other things, cancellation. He argued that three cases from other jurisdictions with similar statutes should compel the acceptance of Mr. Paradeses' revocation of the \$50,000.00 bequest by his cancellation of the same by striking it out in the original document, which was in his possession at the time of his death.⁴ He provided Georganna Paradeses' testimony that she

² Jim Paradeses did not file an answer.

³ *Stevens v. Royals et al.* 223 S.C. 510 (1953) Where changes included deletions and additions, changes were more than revocation of devise or revocation pro tanto and, therefore, were invalid in view of fact that formalities necessary to a codicil did not exist. *Brown v. Brown et al.*, 91 SC 101 (1912) was distinguished because it involved a stipulation that the deletion was made by the Testator, and there were no additions made to the Will.

⁴ *Goriczynski v. Poston*, 248 Va. 271, 448 S.E.2d 423 (Va. 1994), which held that the striking out of language in a will is cancellation within the meaning of the applicable statute, and there is a rebuttable presumption that the changes were made with the intent to revoke where the will is discovered among the decedent's personal effects after his death with the strikeouts already made.

² B 3 an

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was present upon the discovery of the Will, which the family members were previously unaware of, and that the same was discovered in a Kroger shopping bag in Mr. Paradeses' kitchen among his things. He also argued that the cases cited by Counsel for Ms. Glisson-Hixon predated the current SC statute and were decided during a time when South Carolina allowed only *in toto* revocation.

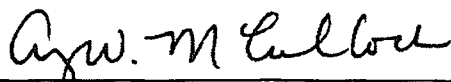
The Court makes the following findings of fact and conclusions of law:

1. The additions and deletions were made after the Will was properly executed in the presence of two witnesses;
2. There are no known witnesses to the additions and deletions;
3. The Will originally stated "2. Fifty Thousand Dollars (\$50,000) to Faye Greeson. If Faye Greeson predeceases me, such devise shall lapse to the rest and residue of my estate.";
4. "Faye Greeson" refers to Eleanor Faye Glisson-Hixon.

The Court concludes that the attempted changes to the Will are consistent with an attempted codicil and would require proper execution. Since there was no proper execution, the changes are invalid, and the language of the originally executed Will remain in force and effect. Therefore, the right of Eleanor Faye Glisson-Hixon to the bequest of Fifty Thousand Dollars remains valid.

IT IS SO ORDERED.

August 23, 2016
Columbia, South Carolina



Amy W. McCulloch,
Richland County Probate Judge

Etgen v. Corboy, 230 Va. 413, 337 S.E.2d 286 (Va. 1985), which held that *pro tanto* revocation was permissible where a statute provided for that, but only *in toto* revocation by destruction or cancellation was effective where the statute did not specify that less than an entire will could be revoked without formalities of execution.

In re Estate of Carpenter, 34 So.3d 1230 (Miss.App. 2010), the drawing of lines through text in a Will is an effective revocation, although the form of the lines is unimportant to confirm the Decedent's intent. Also confirms that such a partial revocation causes the property devised in the revoked provision to pass under the residuary clause of the Will where such a clause is included.

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STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE PROBATE COURT
Estate Number: 2016-40-15

FILED
2016 SEP 13 PM 3:13
AMY W. MCCULLOUGH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

IN THE MATTER OF THE ESTATE OF)
WILLIAM DEMETRIUS PARADESES)

GEORGANNA PARADESES, as Personal)
Representative of the Estate of William D.)
Paradeses,)

Petitioner,)

vs.)

GEORGANNA PARADES, ELEANOR)
GLISSON (Faye) (a.k.a. Faye Greeson), et al.)

Respondents.)

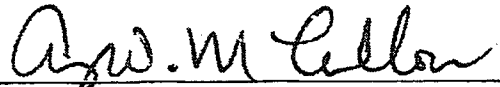
ORDER DENYING MOTION

THIS MATTER COMES BEFORE THE COURT upon the filing of a Motion on September 6, 2016, to alter, amend, or vacate this court's order dated August 23, 2016, pursuant to Rule 59(e) of the *South Carolina Rules of Civil Procedure* by attorney Adam Silvernail on behalf of Respondents Georganna Paradeses, individually, Pam Paradeses, Stephanie Starr, Robin Pace, Mary Paradeses and Jim Paradeses. Movants request that this Court reconsider its Order on a Petition for Declaratory Judgment requesting a decision on the validity of certain additions and deletions in the Last Will and Testament of the Decedent.

Movants argue that this court overlooked or misapprehended S.C. Code Ann. § 62-2-506 (incorrectly cited as S.C. Code Ann. § 62-2-502 in the Order and the Motion) concerning the Testator's ability to revoke "any part" of a Will by cancelation or obliteration. This court interpreted the deletions and additions as an attempted codicil that require the signature of the testator (initials in the present case) and witnessed by at least two individuals, as required by S.C. Code Ann. § 62-2-502 as read with S.C. Code Ann. § 62-1-201 (53). This Order includes all further arguments of the Movants in their Motion that this court misinterpreted the law argued in this case. While this court appreciates the argument of Counsel for the Movants, all arguments made in the Motion were made during the hearing and this court considered them in its ruling. Additionally, while the addition to the Will was acknowledged and agreed upon by those

affected by the addition, this court analyzed that there was both an addition and a deletion in question as the act of the Testator and believes they must be analyzed together. Therefore, it was not only a deletion that this court was interpreting which supports the issue of codicil not merely a revocation of a part of the Will. **THEREFORE, IT IS HEREBY ORDERED** that the Motion filed September 6, 2016 is **DENIED**.

AND IT IS SO ORDERED.



Amy W. McCulloch
Richland County Probate Judge

September 12, 2016
Columbia, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE PROBATE COURT

Georganna Paradeses, as Personal
Representative of the Estate of William D.
Paradeses

Petitioner,

vs.

Georganna Paradeses, Eleanor Glisson (Faye)
(a.k.a. Faye Greeson), et. al.

Respondents.

IN THE MATTER OF:

The Estate of William D. Paradeses

**PETITION FOR
DECLARATORY JUDGMENT**

Case No.: 2016-ES-40-00215

2016 FEB 18 PM 4: 04
FILED
AMY W. McCULLOCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

Petitioner above-named alleges as follows:

1. William D. Paradeses (the "Decedent") died on January 9, 2016 as a resident on Richland County, South Carolina.
2. The Decedent executed his Last Will and Testament on October 29, 2008 (a copy is attached herein as "Exhibit A").
3. The subject estate was opened and Georganna Paradeses was appointed as Personal Representative on February 11, 2016.
4. The Decedent's Last Will and Testament contains handwritten language next to subparagraph (1) of ITEM IV of such Will stating "A.D. and J.D. Paradeses will have control until it is sold and no one else."

5. The Decedent's Last Will and Testament also shows a dark line struck through subparagraph (2) of ITEM IV of such Will and handwritten language stating "Omit #2" and his signature beside such subparagraph.
6. Petitioner seeks judicial resolution of the rights of the parties under the terms of the Decedent's Last Will and Testament and the effect of the markings thereon on these parties' rights.

WHEREFORE, the Petitioner requests that the Court inquire into the matters alleged above and grant her the following relief:

- a. An Order declaring the rights of the parties under the terms of the Decedent's Last Will and Testament and the effect of the markings thereon on these parties' rights.
- b. For such other and further relief as this Court might deem just and proper.

MOORE TAYLOR LAW FIRM, P.A.

BY: 

Sarah T. Cassidy
1700 Sunset Boulevard
P. O. Box 5709
West Columbia, SC 29171
(803) 796-9160
ATTORNEY FOR PETITIONER

West Columbia, South Carolina
February 18, 2016

ITEM III

I hereby give, devise and bequeath my real property, consisting of a one-half (1/2) interest in 90 acres in Polk and Rutherford Counties, North Carolina (jointly owned with Benjamin Lynch) and a one-half (1/2) interest in 116 acres in Polk County in North Carolina (jointly owned with Estate of S.D. Paradeses), in equal shares to **ROBIN PACE, per stirpes, and GEORGIANA PARADESES, per stirpes.**

If either **ROBIN PACE** or **GEORGIANA PARADESES** predecease me without issue, I hereby give, devise and bequeath such deceased beneficiary's share to the surviving beneficiary.

ITEM IV

I hereby give, devise and bequeath my personal property, except for any items listed on a memorandum as described in ITEM II of this will, as follows:

1. My interest in the Saluda Investment Company in equal shares to **PAM PARADESES, STEPHANIE STARR, MARY PARADESES, GEORGIANA PARADESES, ROBIN PACE** and **JIM PARADESES**; my Personal Representative has the discretion to sell such interest, if necessary, and distribute the proceeds to such beneficiaries. If any of the beneficiaries named in this ITEM IV, paragraph 1 of this Will predecease me, such share shall lapse to the rest and residue of my estate.

omit # 212.

W.D. Paradeses

A.D. and J.D. Paradeses will have control until it is sold and no one else.

~~_____~~

~~_____~~

W.D. Paradeses

3. My pick-up truck and my dog, Homer to **FAYE GREESON**. If **FAYE GREESON** predeceases me, such property shall lapse to the rest and residue of my estate, however, the individual taking the pick-up truck must take Homer.
4. I direct all of my stock assets be sold and the proceeds distributed to my Trustee herein named for an Education Trust, such trust principal and interest to be used to pay the tuition and books at an accredited college for the following beneficiaries: **LOGAN GREESON, DAKOTA STARR, HUNTER STARR, NICK BOATMAN, ALEX BOATMAN, MARINER BOATMAN,**

Amey H. Corbett

W.D. Paradeses

William D. Paradeses 77

and **SABINE RAYE** and distributed according to ITEM V of this will.

5. All of my remaining real and personal property including the rest, residue and remainder of such property of every kind and description, (including lapsed legacies and devises) wherever situate and whether acquired before or after the execution of this will, except for any items listed on a memorandum as described in ITEM II of this will in equal shares to **PAM PARADESES, STEPHANIE STARR, MARY PARADESES, GEORGIANA PARADESES, ROBIN PACE** and **JIM PARADESES**. If any of the beneficiaries named in this ITEM IV, paragraph 5, of this Will predecease me, I hereby give, devise and bequeath such deceased beneficiary's share equally to the surviving beneficiaries named in this ITEM IV, paragraph 5, of this Will.

ITEM V

An Education Trust is hereby established for providing tuition and books for a college education for **LOGAN GREESON, DAKOTA STARR, HUNTER STARR, NICK BOATMAN, ALEX BOATMAN, MARINER BOATMAN,** and **SABINE RAYE** until each attains the age of Thirty (30) years.

During the administration of this Education Trust, my Trustee herein named shall pay tuition and books for any of the beneficiaries named in this ITEM V of this will, if such beneficiaries attend an accredited college before the age of thirty (30); if any do not attend an accredited college before the age of thirty (30) they are not eligible for any of the funds placed in this Education Trust. If and when the Education Trust funds are exhausted in order to accomplish the above distributions, the trust shall be immediately terminated. In the event of any dispute regarding the use of these funds for tuition and books, the Trustee herein named for this Education Trust has the sole discretion to distribute the funds for tuition and books as she deems appropriate.

Whenever my Trustee determines it appropriate to pay any money for the benefit of **LOGAN GREESON, DAKOTA STARR, HUNTER STARR, NICK BOATMAN, ALEX BOATMAN, MARINER BOATMAN,** and **SABINE RAYE** for whom this trust is created hereunder, then such amounts shall be paid out by my Trustee in such of the following ways as my Trustee deems best: (1) directly to such beneficiary; (2) to the legally appointed guardian of such beneficiary; (3) to some relative or friend for the welfare and medical care of such beneficiary; (4) by my Trustee using such amounts directly for such beneficiary's college tuition and books.

Amelia Corbett
Wentley

William D. Paradeses P 3

If all of the beneficiaries of this Education Trust attain the age of thirty (30) before the trust is exhausted, I direct my Trustee to terminate the trust and distribute the balance to the devisees named in the rest and residue clause of ITEM IV, paragraph 5, of this Will.

ITEM VI

In holding any property for a person under the provisions of this will, and by way of illustration and not of limitation and in addition to any inherent, implied or statutory powers granted to Personal Representatives and/or Trustees generally, my Personal Representative and/or Trustee is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, to make distributions or divisions, pro rata or non-pro rata, in cash or in kind or partly in each without regard to the income tax basis of such asset and in general to exercise all of the powers in the management of my Estate or Trust which any individual could exercise in the management of similar property owned in its own right, upon such terms and conditions as to my Personal Representative and/or Trustee may seem best, and to execute and deliver any and all instruments and to do all acts which my Personal Representative and/or Trustee may deem proper or necessary to carry out the purposes of this my Will.

ITEM VII

I hereby nominate, constitute and appoint as Personal Representative of this my Last Will and Testament, **GEORGIANA PARADESES**, and direct that she shall serve without bond. If for any reason **GEORGIANA PARADESES** is unable or unwilling to serve or continue to serve, then I nominate, constitute and appoint as substitute or successor Personal Representative, **ROBIN PACE**, and direct that she shall serve without bond.

ITEM VIII

I hereby nominate, constitute and appoint as Trustee of this my Last Will and Testament, **GEORGIANA PARADESES**, and direct that she

Amey H. Corbett
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shall serve without bond. If for any reason **GEORGIANA PARADESES** is unable or unwilling to serve or continue to serve, then I nominate, constitute and appoint as substitute or successor Trustee, **STEPHANIE STARR**, and direct that she shall serve without bond. If for any reason **STEPHANIE STARR** is unable or unwilling to serve or continue to serve, then I nominate, constitute and appoint as substitute or successor Trustee, **ROBIN PACE**, and direct that she shall serve without bond.

ITEM IX

Whenever the word "Personal Representative" and/or the word "Trustee", or any modifying or substituted pronouns therefor are used in this my Will, such words and respective pronouns shall be held and taken to include both the singular and the plural, the masculine, feminine and neuter gender thereof, and shall apply equally to the Personal Representative and Trustee named herein and to any successor or substitute Personal Representative or Trustee acting hereunder, and such successor or substitute Personal Representative and/or Trustee shall possess all the rights, powers and duties, authority and responsibility conferred upon my Personal Representative and/or Trustee originally named herein.

ITEM X

If any beneficiary and I should die as a result of common accident or calamity or otherwise under such circumstances as would render it doubtful whether the beneficiary or I died first, then it shall be conclusively presumed for the purposes of this Will that said beneficiary predeceased me.

IN WITNESS WHEREOF, I, **WILLIAM D. PARADESES**, the Testator, sign my name to this instrument this 29 day of October, 2008 and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last Will and Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

William D. ParadeSES
WILLIAM D. PARADESES
Testator

Amy H. Corbett
10/29/08

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE PROBATE COURT
Case No. 2016-ES-40-00215

Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses)

Petitioner,)

vs.)

Georganna Paradeses, Eleanor)
Glisson (Faye) (a.k.a. Faye Greeson,)
et. al.)

Respondents.)

IN THE MATTER OF:)

The Estate of William D. Paradeses)

AMY M. HEQUILL DCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

2016 MAR -9 AM 11:25

FILED

**ANSWER OF RESPONDENT
MARY PARADESES BOATMAN WEHBBIE**

Respondent Mary Paradeses Boatman Wehbie, Answering the allegations of the Petition dated February 18, 2016, responds as follows:

1. I admit all of the allegations of the Petition.
2. Further, I admit that the handwritten language added next to subparagraph (1) of ITEM IV of such Will, and the dark line struck through subparagraph (2) of ITEM IV of such Will, were made by Testator William D. Paradeses with the intent that such changes have legal effect and should otherwise properly modify the provisions of the original language of such Will.
3. Further, I admit and ask the Court to accept that all references to "Georgiana Paradeses" in such Will actually refer to Georganna Paradeses.
3. As a result, I believe and ask that the Will as modified be accepted as the Last Will and Testament of William D. Paradeses and otherwise be admitted to Probate.

WHEREFORE, this Respondent requests that the Last Will and Testament of William D. Paradeses, as modified, a copy of which is attached to the Petition as Exhibit A, be admitted to probate and be given such effect as otherwise provided by law.


MARY PARADESES BOATMAN WEHBIE RESPONDENT

Address: 2508 Kingsley Road, Raleigh, North Carolina 27612

Date: Feb 29, 2010

000015

WHEREFORE, this Respondent requests that the Last Will and Testament of William D. Paradeses, as modified, a copy of which is attached to the Petition as Exhibit A, be admitted to probate and be given such effect as otherwise provided by law.



GEORGINNA PARADESES, RESPONDENT

Address: 5345 Picklesimer Road, Cumming, Georgia 30041

Date: 1 March 2016

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FILED

2016 MAR -7 PM 1:10

ATTY W. HECHELOCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE PROBATE COURT)
Case No. 2016-ES-002)

Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses)

Petitioner,)

vs.)

Georganna Paradeses, Eleanor)
Glisson (Faye) (a.k.a. Faye Greeson,)
et. al.)

ANSWER OF RESPONDENT)
ROBIN PACE)

Respondents.)

IN THE MATTER OF:)
The Estate of William D. Paradeses)

Respondent Robin Pace, Answering the allegations of the Petition dated February 18, 2016, responds as follows:

1. I admit all of the allegations of the Petition.
2. Further, I admit that the handwritten language added next to subparagraph (1) of ITEM IV of such Will, and the dark line struck through subparagraph (2) of ITEM IV of such Will, were made by Testator William D. Paradeses with the intent that such changes have legal effect and should otherwise properly modify the provisions of the original language of such Will.
3. Further, I admit and ask the Court to accept that all references to "Georgiana Paradeses" in such Will actually refer to Georganna Paradeses.
3. As a result, I believe and ask that the Will as modified be accepted as the Last Will and Testament of William D. Paradeses and otherwise be admitted to Probate.

WHEREFORE, this Respondent requests that the Last Will and Testament of William D. Paradeses, as modified, a copy of which is attached to the Petition as Exhibit A, be admitted to probate and be given such effect as otherwise provided by law.



ROBIN PACE, RESPONDENT

Address: 230 Coopers Gap Road, Mill Spring, North Carolina 29756

Date: March 2, 2016

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WHEREFORE, this Respondent requests that the Last Will and Testament of William D. Paradeses, as modified, a copy of which is attached to the Petition as Exhibit A, be admitted to probate and be given such effect as otherwise provided by law.

Stephanie Starr

STEPHANIE STARR, RESPONDENT

Address: 160 Walker Run, Selma, North Carolina 27576

Date: 3/8/16

000021

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE PROBATE COURT
Case No. 2016-ES-40-00215

Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses)

Petitioner,)

vs.)

Georganna Paradeses, Eleanor)
Glisson (Faye) (a.k.a. Faye Greeson,)
et. al.)

Respondents.)

IN THE MATTER OF:)

The Estate of William D. Paradeses)

2016 MAR 15 PM 12:33
AMY W. MCCULLOCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

FILED

**ANSWER OF RESPONDENT
PAM PARADESES GREESON**

Respondent Pam Paradeses Greeson, Answering the allegations of the Petition dated February 18, 2016, responds as follows:

1. I admit all of the allegations of the Petition.
2. Further, I admit that the handwritten language added next to subparagraph (1) of ITEM IV of such Will, and the dark line struck through subparagraph (2) of ITEM IV of such Will, were made by Testator William D. Paradeses with the intent that such changes have legal effect and should otherwise properly modify the provisions of the original language of such Will.
3. Further, I admit and ask the Court to accept that all references to "Georgiana Paradeses" in such Will actually refer to Georganna Paradeses.
3. As a result, I believe and ask that the Will as modified be accepted as the Last Will and Testament of William D. Paradeses and otherwise be admitted to Probate.

WHEREFORE, this Respondent requests that the Last Will and Testament of William D. Paradeses, as modified, a copy of which is attached to the Petition as Exhibit A, be admitted to probate and be given such effect as otherwise provided by law.


PAM PARADESES GREESON, RESPONDENT

Address: 6333 Jones Farm Road, Wake Forest, North Carolina 27587

Date:

03/10/16

000023

FILED

2016 MAR 25 PM 12:01

IN THE PROBATE COURT
Case No. 2016-ES-40-00
J. W. McCULLOCH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
-----)
Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses,)
)
Petitioner,)
)
vs.)
)
Georganna Paradeses, Eleanor Glisson)
(Faye) (a.k.a. Faye Greeson), et al.)
)
Respondents,)
)
IN THE MATTER OF:)
)
The Estate of William D. Paradeses)
-----)

Answer of Eleanor Faye Glisson-Hixon
(Non-Jury Trial Requested)

Now Comes Eleanor Faye Glisson-Hixon a/k/a Eleanor Glisson a/k/a Faye Greeson
("Respondent"), by and through her undersigned counsel, and responds to Petitioner's Petition
for Declaratory Judgment ("Petition") as follows:

First Defense

1. Respondent admits the allegations contained in Paragraphs 1, 2 and 3 of the Petition.
2. Respondent admits that the Will contained in Exhibit A of the Petition contains the language stated in Paragraph 4 of the Petition, but Respondent does not possess sufficient knowledge to admit or deny that Exhibit A is a true copy of Decedent's Last Will and Testament.
3. Respondent admits that Subparagraph of Item Two of Exhibit A is struck through and contains handwritten language stating "Omit #2", but Respondent does not possess sufficient

information to admit or deny whose signature is besides the subparagraph or whether it is the Last Will of Decedent.

4. Respondent admits the allegations contained in Paragraph 6 of the Petition, except that Respondent does not possess sufficient knowledge to admit or deny whether Exhibit A is a true copy of Decedent's Last Will and Testament.

5. Respondent denies all allegations contained in the Petition not specifically admitted to here in and demands strict proof thereof.

Second Defense

6. When the Last Will and Testament of William D. Paradeses ("Will") was validly executed with two witnesses on October 29, 2008, Paragraph 2 of Item IV stated "Fifty Thousand Dollars (\$50,000) to FAYE GREESON. If FAYE GREESON predeceases me, such devise shall lapse to the rest and residue of my estate." A copy of the unedited page of the Will is attached here to as Exhibit A and incorporated herein.

7. "Faye Greeson" is a misspelling of Faye Glisson a/k/a Eleanor Faye Glisson-Hixon, and this fact has been conceded by the Petitioner.

8. Eleanor Faye Glisson-Hixon survived William D. Paradeses and is still living.

9. Any attempt to omit Paragraph 2 of Item IV of the Will failed for want of due attestation and/or re-execution. *See* Dodson v. Walton, 268 Ark. 431 (1980); *In re Craven's Estate*, 206 Okla. 174 (1952)(after the will has been executed and attested the testator may not vary the terms by obliterations, erasures or other changes on the face of the instrument unless such changes are executed and attested in the manner provided by law for making a will); *See also* Pacholder v. Rosenheim, 129 Md. 455 (1916); *In re Knapen's Will*, 75 Vt. 146 (1903)(unless the will is republished in its amended form). *Distinguish* Brown v. Brown, 91 S.C.

101 (1912).

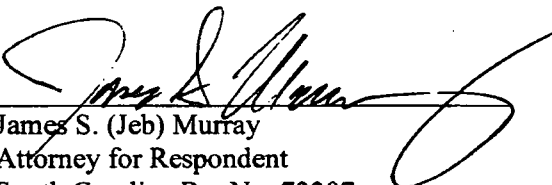
10. The markings on the Will as a whole do not demonstrate any attempt to revoke the Will in whole.

11. The Will was not revoked, and the Will should be enforced as originally written, to wit: Fifty Thousand Dollars was devised to and should be given to Eleanor Faye Glisson-Hixon from the Estate.

WHEREFORE, having fully set forth its Complaint, Plaintiff prays that this Court without a jury hear this matter and determine the rights of the parties as set forth above and for such other and further relief as may be just and proper.

Augusta, Georgia

March 23, 2016



James S. (Jeb) Murray
Attorney for Respondent
South Carolina Bar No. 73307
Warlick, Stebbins, Murray & Chew, LLP
Post Office Box 1495
209 7th Street, Suite 300
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Telephone: (706) 722-7543

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE PROBATE COURT
Case No. 2016-ES-40-00215

FILED
2016 APR -4 PM 12:55
AMY W. MCCULLOUGH
PROBATE JUDGE
RICHLAND COUNTY, S.C.

Georganna Paradeses, as Personal)
Representative of the Estate of)
William D. Paradeses,)

Petitioner,)

vs.)

Georganna Paradeses, Eleanor Glisson)
(Faye) (a.k.a. Faye Greeson), et al.)

Respondents,)

IN THE MATTER OF:)

The Estate of William D. Paradeses)

**Amended Answer of
Eleanor Faye Glisson-Hixon**

(Non-Jury Trial Requested)

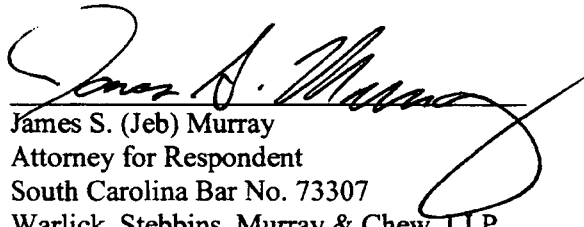
Now Comes Eleanor Faye Glisson-Hixon a/k/a Eleanor Glisson a/k/a Faye Greeson ("Respondent"), by and through her undersigned counsel, and Amends her Answer to Petitioner's Petition for Declaratory Judgment ("Petition") to include a copy of Exhibit "A" as referenced in paragraph 6 of the Second Defense.

WHEREFORE, having filed her Amended Answer, Respondent prays that this Court without a jury hear this matter and determine the rights of the parties as set forth above and for such other and further relief as may be just and proper.

Augusta, Georgia

March 31, 2016

000027



James S. (Jeb) Murray
Attorney for Respondent
South Carolina Bar No. 73307
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Augusta, Georgia 30903
Telephone: (706) 722-7543

FILED

2016 APR -4 PM 12:55

**AMY W. MCCULLOUGH
PROBATE JUDGE
RICHLAND COUNTY, S.C.**

EXHIBIT "A"

000029

ITEM III

I hereby give, devise and bequeath my real property, consisting of a one-half (1/2) interest in 90 acres in Polk and Rutherford Counties, North Carolina (jointly owned with Benjamin Lynch) and a one-half (1/2) interest in 116 acres in Polk County in North Carolina (jointly owned with Estate of S.D. Paradeses), in equal shares to **ROBIN PACE**, per stirpes, and **GEORGIANA PARADESES**, per stirpes.

If either **ROBIN PACE** or **GEORGIANA PARADESES** predecease me without issue, I hereby give, devise and bequeath such deceased beneficiary's share to the surviving beneficiary.

ITEM IV

I hereby give, devise and bequeath my personal property, except for any items listed on a memorandum as described in ITEM II of this will, as follows:

1. My interest in the Saluda Investment Company in equal shares to **PAM PARADESES**, **STEPHANIE STARR**, **MARY PARADESES**, **GEORGIANA PARADESES**, **ROBIN PACE** and **JIM PARADESES**; my Personal Representative has the discretion to sell such interest, if necessary, and distribute the proceeds to such beneficiaries. If any of the beneficiaries named in this ITEM IV, paragraph 1 of this Will predecease me, such share shall lapse to the rest and residue of my estate.
2. Fifty Thousand Dollars (\$50,000) to **FAYE GREESON**. If **FAYE GREESON** predeceases me, such devise shall lapse to the rest and residue of my estate.
3. My pick-up truck and my dog, Homer to **FAYE GREESON**. If **FAYE GREESON** predeceases me, such property shall lapse to the rest and residue of my estate, however, the individual taking the pick-up truck must take Homer.
4. I direct all of my stock assets be sold and the proceeds distributed to my Trustee herein named for an Education Trust, such trust principal and interest to be used to pay the tuition and books at an accredited college for the following beneficiaries: **LOGAN GREESON**, **DAKOTA STARR**, **HUNTER STARR**, **NICK BOATMAN**, **ALEX BOATMAN**, **MARINER BOATMAN**,

Amey H. Corbett
Center Dr.

William D. Paradeses

STATE OF SOUTH CAROLINA

IN THE PROBATE COURT

COUNTY OF: RICHLAND

INVENTORY AND APPRAISEMENT: PROBATE PROPERTY

FILED

ORIGINAL
 SUPPLEMENTARY, AMENDED OR CORRECTED #

(must restate the unchanged information from the original inventory)

2016 MAY 18 AM 10:51

IN THE MATTER OF:
WILLIAM D. PARADESES
(Decedent)

CASE NUMBER: 2016-ES-40-00215

AMY W. McCULLOCH
PROBATE JUDGE
RICHLAND COUNTY

File the original inventory and appraisement with the Probate Court within ninety (90) days following the fiduciary appointment. A copy shall be sent to each interested person who has demanded it. A Proof of Delivery must be filed with the Court. The gross fair market value of all probate assets, regardless of location (whether in this state or elsewhere), should be listed as of the date of death. Continue on additional sheets if necessary. A Supplementary, Amended, or Corrected Inventory should be utilized for correcting, adjusting or adding to an original inventory, and must restate the unchanged information from the original inventory. A qualified and disinterested appraiser may be employed to ascertain the value of any asset. If an appraiser is employed, his/her name and address must be indicated with the item or items he/she appraised.

RECAPITULATION

Schedule A - Real Estate	\$ 227,100.50
Schedule B - Stocks and Bonds	\$ 588,667.04
Schedule C - Notes Due Decedent and Cash	\$ 32,105.36
Schedule D - Insurance on Decedent's Life - Payable to the Estate	\$ -0-
Schedule E - Jointly Owned Property	NA
Schedule F - Other Miscellaneous Assets	\$ 174,569.00
Schedule G - Transfers During Decedent's Life Payable to the Estate	\$ -0-
Schedule H - Powers of Appointment Payable to the Estate	\$ -0-
Schedule I - Annuities and Retirement Accounts Payable to the Estate	\$ 18,875.14
TOTAL GROSS VALUE OF PROBATE ESTATE	\$ 1,041,317.04
ENCUMBRANCES	(-0-)
TOTAL NET WORTH OF PROBATE ESTATE / PROBATE ESTATE VALUE	\$ 1,041,317.04

The undersigned, being sworn, states: That the following schedules contain a complete and accurate inventory and appraisement of a probate real and personal property of this estate so far as the undersigned is informed; that he/she has estimated and/or appraised all listed property at its fair market value, according to the best of his/her knowledge and ability.

SWORN to before me this 13 day of May 2016 . 2 016 . 0

Personal Representative
Signature:

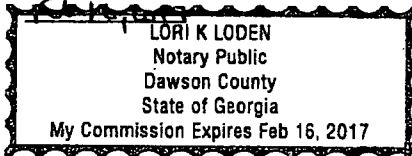
Georganna Paradeses

Print Name: Georganna Paradeses

Address: 5345 Picklesimer Road
Cumming, GA 29171

Telephone (Work):
(Home): (770) 781-9411
(Cell): (678) 300-7568
(Email):

Notary Public for South Carolina
My Commission Expires:



Co-Personal Representative
Signature

Attorney: Sarah T. Cassidy
Address: P.O. Box 5709
West Columbia, SC 29171
Telephone: (803) 796-9160 x126
Email: sarah@mtflaw.com

Name:
Address:
Telephone (Work):
(Home):
(Cell):
(Email):

A. REAL ESTATE in Decedent's name alone or tenants in common (not as joint with right of survivorship). Describe each property by listing its full address, tax map number, deed book and page and description consistently (house, lot, buildings, acreage). Also list oil / mineral rights and time shares, if it is real property. If the property is encumbered, list the full fair market value of the property here and the encumbrance on Encumbrance section below	% Owned by Decedent	Fair Market Value of Decedent's Interest
1. See Attached List		227,100.50
2.		
3.		
B. STOCKS, BONDS in Decedent's name alone or tenants in common (not as joint with right of survivorship). List each type of security and number of shares.		
1. Wells Fargo Stock Portfolio	100%	588,667.04
2.		
3.		
C. CASH, BANK ACCOUNTS, NOTES RECEIVABLES in Decedent's name alone or as tenants in common. List each separate account type and institution and the last two digits of each account. List all bank accounts owned by Decedent alone or as tenants in common (checking, savings, CDs, money market, brokerage, employment bonus, cash award, final paycheck etc.), cash on hand, notes payable to Decedent, and survival action proceeds.		
1. First Citizens Bank - Checking	100%	32,105.36
2.		
3.		
D. LIFE INSURANCE payable to the Decedent's estate.		
1.		
2.		
E. JOINTLY OWNED PROPERTY – REPORTING IS NOT REQUIRED		N/A
F. ALL OTHER MISCELLANEOUS PERSONAL PROPERTY in Decedent's name alone or as tenants in common. List below any tangible personal property, including household goods & furnishings, vehicles, boats/motors/trailers, mobile homes that are not de-titled (Include year/make/model/VIN, if applicable), airplanes, equipment, interest in a partnership or unincorporated business, articles or collections having either artistic or intrinsic value, including coins, guns, artwork, jewelry, etc., and any other miscellaneous probate items not listed elsewhere, including any digital assets		
1. 2008 Toyota Tundra	100%	13,769.00
2. Misc. Personal Property	100%	3,000.00
3. Interest in Saluda Investments	25%	157,800.00
4.		
G. TRANSFERS DURING DECEDENT'S LIFE PAYABLE TO ESTATE ONLY Any transfers intended to take effect at death if payable to the Estate shall be reported. A trust created by Decedent in which income for life was retained by the Decedent, power to revoke or other incidents of ownership retained by the Decedent, lifetime transfers of real property in which Decedent retained life estate, etc.		
1.		
2.		
H. POWERS OF APPOINTMENT PAYABLE TO THE ESTATE ONLY List property, both real and personal, over which Decedent possessed a Power of Appointment whether testamentary or otherwise, if such property is payable to the Estate.		
1.		
I. ANNUITIES AND IRA, ETC. PAYABLE TO THE ESTATE ONLY List any annuities or retirement accounts owned by the Decedent and payable to the Estate.		
1. First Citizens IRA		13,965.96
2. S.C. Retirement Systems		4,909.18

TOTAL PROBATE ESTATE VALUE

\$ 1,041,317.04

ENCUMBRANCES (e.g., mortgages, liens, judgments, etc., but not general debts of the estate).

List debts of the Decedent secured by assets on the above schedule and describe the debt and the specific asset encumbered.

- 1.
- 2.

ESTATE OF WILLIAM D. PARADESES
CASE NO: 2016-ES-40-00215

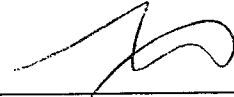
ATTACHMENT TO INVENTORY & APPRAISEMENT

<u>Real Property</u>	<u>% of Ownership</u>	<u>Value</u>
1. 327 Saluda Avenue Columbia, SC 29205 Richland County TMS R 11309-04-06	25%	36,925.00
2. 1031 Kinard Court Columbia, SC 29201 Richland County TMS R-09012-08-13	25%	23,500.00
3. 1100 Kinard Court Columbia, SC 29201 Richland County TMS R09016-13-01	25%	29,925.00
4. 1525 Bull Street Columbia, SC 29201 Richland County TMS R11402-03-07	25%	31,625.00
5. 1107 Pope Street Columbia, SC 29201 Richland County TMS R09109-10-29	25%	17,100.00
6. Lots 17, 18, 19, 20 Polk County, North Carolina TMS P115-42	50%	40,375.50
7. Coxe Road Rutherfordton, NC 28139 Polk County /Rutherford County TMS 1507.00-05-7357.0000	50%	47,650.00

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CERTIFICATE OF COUNSEL

The undersigned counsel for Appellants hereby certifies that the foregoing Record on Appeal contains all matter designated by parties to this appeal and no other material.



Adam T. Silvernail

March 15, 2017

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